

BEFORE THE DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the
Accusation Against:

Leonard H. Levine, M.D.
Certificate # G-9535

Respondent.

D-4236

DECISION

The attached Stipulation is hereby adopted by the Division of Medical Quality of the Medical Board of California as its Decision in the above-entitled matter.

This Decision shall become effective on November 19, 1990.

IT IS SO ORDERED October 18, 1990.

DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA



THERESA CLAASSEN
Secretary-Treasurer

1 JOHN K. VAN DE KAMP, Attorney General
of the State of California
2 JOEL S. PRIMES, Supervising
Deputy Attorney General
3 PAMELA D. GORIN
Deputy Attorney General
4 1515 K Street, Suite 511
P.O. Box 944255
5 Sacramento, California 94244-2550
Telephone: (916) 324-5400

6 Attorneys for Complainant
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8

9 BEFORE THE
10 DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
11 DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

12 In the Matter of the Accusation)	Case No. D- 4236
Against:)	
13)	STIPULATION,
14 LEONARD HAROLD LEVINE, M.D.)	DECISION AND
Princeton-Hightstown Road)	<u>ORDER</u>
15 East Windsor, New Jersey 08520)	
Physician and Surgeon Certificate)	
16 No. G9535)	
17 Respondent.)	

18
19 Respondent, Leonard Harold Levine, M.D., representing
20 himself, and the Division of Medical Quality (hereinafter
21 "Division"), through its counsel Deputy Attorney General, Pamela
22 D. Gorin, do hereby enter into the following stipulation:

23 1. Kenneth J. Wagstaff, Executive Director of the
24 Medical Board of California (hereinafter "Board") filed
25 Accusation number D-9535 solely in his official capacity.

26 2. On or about May 13, 1964, the Board issued
27 physician and surgeon certificate number G9535 to Leonard Harold

1 Levine (hereinafter "Respondent"). At all relevant times
2 mentioned herein said license has been and now is in full force
3 and effect.

4 3. The Accusation, form Notice of Defense, Statement
5 to Respondent, copies of Government Code sections 11507.5,
6 11507.6, and 11507.7 were duly and properly served on Respondent
7 by certified mail, posted on or about May 18, 1990. The
8 corresponding postal receipt evidencing delivery to Respondent
9 was received on or about May 25, 1990.

10 4. Respondent has read and understands the charges
11 contained in the Accusation. Respondent understands that said
12 charges, if found to be true, constitute cause for disciplinary
13 action. Respondent has had the opportunity to consult counsel
14 concerning the charges and allegations contained in the
15 accusation and the effect of this stipulation. If Respondent has
16 not exercised his right to consult counsel, he has done so
17 knowingly, freely and voluntarily.

18 5. Respondent understands that he has a right to a
19 hearing on the charges contained in the accusation, to
20 reconsideration, to appeal, and to any and all rights accorded
21 him by the California Administrative Procedure Act and the Code
22 of Civil Procedure. Respondent hereby knowingly, freely and
23 voluntarily waives those rights in order to enter into this
24 stipulation as a resolution of the pending accusation against
25 him.

26 6. Respondent admits each and every allegation of
27 Accusation No. D-9535. Respondent specifically admits for all

1 purposes that the following is true and correct:

2 a. On December 15, 1981 the Board of Medical
3 Examiners of the State of New Jersey issued a formal
4 reprimand against Respondent's license in that state.

5 b. On December 30, 1985 the Board of Medical
6 Examiners of the State of New Jersey issued a formal
7 reprimand against Respondent's license in that state.

8 c. On December 12, 1988 the Bureau of Professional
9 and Occupational Affairs for the State of Pennsylvania
10 issued a formal reprimand against Respondent's license in
11 that state.

12 7. In the event that this stipulation, decision and
13 order is not accepted and adopted by the Division of Medical
14 Quality, the stipulation and characterizations of law and fact
15 made by all parties shall be null, void and inadmissible in any
16 proceeding involving the parties to it.

17 8. Based on the waivers and admissions Respondent
18 makes herein, the Division of Medical Quality may issue the
19 following decision:

20 1. Physician and surgeon certificate number G9535
21 is hereby revoked, the revocation stayed, and Respondent is
22 placed on five years probation, subject to the following
23 terms and conditions:

24 A. Prior to practicing in California, Respondent
25 shall take and pass an oral exam, in a subject
26 to be designated and administered by the Division or
27 its designee. If Respondent fails this examination,

1 Respondent must take and pass a reexamination
2 consisting of a written as well as an oral examination.
3 The waiting period between repeat examinations shall be
4 at three month intervals until success is achieved.
5 The Division shall pay the cost of the first
6 examination and Respondent shall pay the cost of any
7 subsequent reexaminations.

8 B. Obey All Laws

9 Respondent shall obey all federal, state and
10 local laws, and all rules governing the practice
11 of medicine in California.

12 C. Quarterly Reports

13 Respondent shall submit quarterly declarations
14 under penalty of perjury on forms provided by the
15 Division, stating whether there has been compliance
16 with all the conditions of probation.

17 D. Surveillance Program

18 Respondent shall comply with the Division's
19 probation surveillance program.

20 E. Tolling For Out-of-State Practice or
21 Residence

22 The period of probation shall not run during
23 the time Respondent is residing or practicing
24 outside the jurisdiction of California. If during
25 probation, Respondent moves out of the jurisdiction
26 of California to reside or practice elsewhere,
27 Respondent is required to immediately notify the

1 Division in writing of the date of departure, and the
2 date of return, if any.

3 F. Completion of Probation

4 Upon successful completion of probation
5 Respondent's certificate will be fully restored.

6 G. Violation of Probation

7 If Respondent violates probation in any
8 respect, the Division, after giving Respondent notice
9 and the opportunity to be heard, may revoke
10 probation and carry out the disciplinary order that
11 was stayed. If an accusation or petition to revoke
12 probation is filed against Respondent during
13 probation, the Division shall have continuing
14 jurisdiction until the matter is final, and the
15 period of probation shall be extended until the
16 matter is final.

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1 9. RESPONDENT HEREBY ACKNOWLEDGES THAT HE UNDERSTANDS
2 THAT VIOLATION OF ANY CONDITION OR CONDITIONS OF PROBATION WILL
3 CONSTITUTE AN INDEPENDENT GROUND FOR DISCIPLINE BY THE BOARD.

4 DATED: August 2, 1990.

5 JOHN K. VAN DE KAMP, Attorney General
6 JOEL S. PRIMES, Supervising Deputy
7 Attorney General

8 Pamela D. Gorin
9 PAMELA D. GORIN, Deputy Attorney General

10 Attorneys for Complainant

11 DATED: 7-26-90.

12 Leonard Harold Levine, M.D.
13 LEONARD HAROLD LEVINE, M.D.

14 Respondent

15 03578110-
16 SA90AD0629

1 JOHN K. VAN DE KAMP, Attorney General
of the State of California
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10 DIVISION OF MEDICAL QUALITY
STATE OF CALIFORNIA
11 DEPARTMENT OF CONSUMER AFFAIRS
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13 In the Matter of the Accusation) NO. D-4236
Against:)
14)
LEONARD HAROLD LEVINE, M.D.) ACCUSATION
15 Princeton Hightstown Road)
East Windsor, NJ 08520)
16 Physician and Surgeon Certificate)
No. G9535)
17)
18 Respondent.)
19

20 Kenneth J. Wagstaff, for causes for discipline,
21 alleges:
22

23 1. Complainant Kenneth J. Wagstaff makes and files
24 this accusation in his official capacity as Executive Director of
25 the Medical Board of California, Division of Medical Quality,
26 Department of Consumer Affairs.

27 2. On May 13, 1964, the Medical Board of California

1 issued physician and surgeon certificate number G9535 to Leonard
2 Harold Levine (hereinafter referred to as respondent). The
3 certificate will expire on November 30, 1991, unless renewed.

4
5 3. Under Business and Professions Code section 2220,
6 the Division of Medical Quality may take action against all
7 persons guilty of violating the provisions of the Medical
8 Practice Act.

9
10 4. Respondent has subjected his certificate to
11 discipline under Business and Professions Code section 2234 on
12 the grounds of unprofessional conduct as defined by section 2305
13 of that code as follows:

14 a. On December 15, 1981, the Board of Medical
15 Examiners of the State of New Jersey issued a formal reprimand
16 against respondent's license in that state.

17 b. On December 30, 1985, the Board of Medical
18 Examiners of the State of New Jersey issued a formal reprimand
19 against respondent's license in that state.


20 c. On December 12, 1988, the Bureau of Professional
21 and Occupational Affairs for the State of Pennsylvania issued a
22 formal reprimand against respondent's license in that state.

23
24 WHEREFORE, complainant prays a hearing be had and that
25 the Medical Board of California make its order:

26 1. Revoking or suspending certificate number G9535,
27 issued to Leonard Harold Levine, M.D.

1 2. Taking such other and further action as may be
2 deemed proper and appropriate.

DATED: May 18, 1990


KENNETH J. WAGSTAFF
Executive Director
Medical Board of California

Department of Consumer Affairs
State of California

Complainant

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SA90AD0629
(Leslie Gillum)